

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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PATRICIA JOHNSON,

Case No. 2:19-cv-01603- JCM-DJA

Plaintiff,

v.

**ORDER**

BIOMET, INC. et al.,

Defendants.

Presently before the court is the matter of *Johnson v. Biomet, Inc. et al.*, case number 2:19-cv-01603-JCM-DJA.

Federal Rule of Civil Procedure 41(b) provides that “[i]f the plaintiff fails to prosecute or to comply with these rules or a court order, a defendant may move to dismiss the action or any claim against it.” FED. R. CIV. P. 41(B). This court also has the inherent power to sua sponte dismiss a case for want of prosecution or compliance with court orders. *Link v. Wabash R. Co.*, 370 U.S. 626, 630–31 (1962); *Pagtalunan v. Galaza*, 291 F.3d 639, 640–43 (9th Cir. 2002); *Ferdik v. Bonzelet*, 963 F.2d 1258, 1260 (9th Cir. 1992).

This inherent power is also codified in this court’s local rules. Local Rule 41-1 provides that “[a]ll civil actions that have been pending in this court for more than 270 days without any proceeding of record having been taken may, after notice, be dismissed for want of prosecution by the court sua sponte or on the motion of an attorney or pro se party.” LR 41-1.

On April 27, 2022, the court notified the parties that “[i]f no action is taken in this case by May 26, 2022, the court shall enter an order of dismissal for want of prosecution.”


1 (ECF No. 45). No party responded or otherwise commenced any proceeding of record.

2 Accordingly,

3 IT IS HEREBY ORDERED, ADJUDGED, and DECREED that this matter be, and  
4 the same hereby is, DISMISSED for want of prosecution.

5 The clerk shall close the case.

6 DATED THIS 31<sup>st</sup> day of May 2022.

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JAMES C. MAHAN

UNITED STATES DISTRICT JUDGE  
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